

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL RIVERA, :
Plaintiff, :
: :
v. : : **CIVIL ACTION NO. 23-CV-4657**
: :
JAIME LUQUIS, *et al.*, :
Defendants. :
:

ORDER

AND NOW, this 29th day of October, 2024, upon consideration of Defendants' motion to partially dismiss the complaint (Doc. No. 16), and Plaintiff Michael Rivera's response (Doc. No. 21), it is **ORDERED** that:

1. Defendants' motion is **GRANTED** for the reasons stated in the accompanying memorandum. Rivera's claims for damages against Defendants Jaime Luquis and David Coulehan in their official capacities are **DISMISSED WITH PREJUDICE**, and Rivera's claims for declaratory and injunctive relief are **DISMISSED WITHOUT PREJUDICE**. No leave to amend will be granted since any attempt would prove futile.

2. Defendants Jaime Luquis and David Coulehan shall file a responsive pleading in accordance with Federal Rule of Civil Procedure 12(a)(4).

IT IS SO ORDERED.

/s/ Karen Spencer Marston
KAREN SPENCER MARSTON, J.